



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

April 19, 2022

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**HEARING ON THE SANTA MONICA MOUNTAINS LOCAL COASTAL PROGRAM AMENDMENT
- RAMIREZ CANYON
PROJECT NO. 2019-000224-(3)
ADVANCE PLANNING PROJECT NO. RPPL2019000396
SANTA MONICA MOUNTAINS PLANNING AREA
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

This item is an amendment to the Santa Monica Mountains Local Coastal Program (LCP), including the Land Use Plan (LUP) and Local Implementation Program (LIP), that the Department of Regional Planning (Department) prepared because of the decision in Ramirez Canyon Preservation Fund v. California Coastal Commission. This amendment revises certain LUP policies and LIP provisions to update the standard of review under which resource dependent uses, such as low-impact campgrounds, may be established in H1 and H2 habitats (Project).

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Find the Project exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State and local CEQA Guidelines;
2. Indicate the Board of Supervisors (Board) intent to approve the Project (Advance Planning Project No. RPPL2019000396);
3. Instruct County Counsel to prepare a resolution adopting the policy revisions to the Santa Monica Mountains LUP included in the Project; and

4. Instruct County Counsel to prepare an ordinance with the necessary findings adopting the revisions to the Santa Monica Mountains LIP included in the Project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The LCP is comprised of two portions, the LUP and the LIP. On February 18, 2014, the Board considered both the LUP and LIP portions of the LCP, approved both portions and directed the LCP to be transmitted to the California Coastal Commission (CCC) for consideration. The LUP portion of the LCP was approved with suggested modifications by the CCC at their April 10, 2014, hearing. The LIP portion of the LCP was approved with suggested modifications by the CCC at their July 10, 2014, hearing.

On August 26, 2014, the Board held a public hearing to consider the CCC's suggested modifications to the proposed LUP and LIP. At the public hearing, the Board adopted a resolution acknowledging receipt of and accepting the CCC's suggested modifications to the LCP. The Executive Director of the CCC determined the County's action accepting the suggested modifications to be legally adequate, and the CCC concurred with this determination on October 10, 2014, resulting in effective certification of the LCP.

The Ramirez Canyon Preservation Fund filed a petition for writ of mandate on June 4, 2014, in the Superior Court of the County of Los Angeles after the CCC's April 2014 action on the LUP. The petition alleged that the CCC's approval of the LUP violated Section 30240 of the Coastal Act by permitting campgrounds within Environmentally Sensitive Habitat Areas (ESHA). It further alleged that campgrounds are not a resource-dependent use and the support facilities necessary for a campground are likely to disturb the plant and animal life within ESHA. The petition was amended following CCC's July 2014 action on the LIP. The hearing took place on August 17, 2017, with the final decision recorded on September 26, 2017.

The Superior Court decision determined that the CCC's interpretation of Coastal Act Section 30240 to permit low-impact campgrounds in ESHA as a resource-dependent use is correct as a matter of law. The court further found that those LUP policies and LIP provisions that require low-impact campgrounds to avoid impacts to sensitive habitat to the maximum extent feasible are inconsistent with Section 30240 of the Coastal Act, which requires that resource dependent uses in ESHA must avoid significant disruption of habitat values. The court ordered that the policies and provisions permitting low-impact campgrounds in H1 and H2 habitats based on the standard of avoiding impacts to the maximum extent feasible must be set aside as void and reconsidered by the CCC. On December 14, 2018, the CCC considered and approved the proposed amendments to the LCP resulting from the court order.

Three revised LUP policies and one revised LIP provision will replace those that were ordered to be set aside. All other policies and provisions of the certified LUP and LIP will remain in full force and effect.

Implementation of Strategic Plan Goals

The Project promotes Goal 1: Make Investments that Transform Lives, of the County Strategic Plan by ensuring that development activities are compatible with undisturbed portions of the Santa Monica Mountains, maintain the biological integrity of the Santa Monica Mountains while also allowing for the continued enjoyment of this natural area by all County residents.

Further, the Project promotes Goal 2: Foster Vibrant and Resilient Communities, of the County's

Strategic Plan by ensuring that the natural environment is maintained in a self sustaining capacity.

Finally, the Project promotes Goal 3: Realize Tomorrow's Government Today, of the County's Strategic Plan by revising adopted County policies and ordinances to set a direction for the preservation and enjoyment of the Santa Monica Mountains.

FISCAL IMPACT/FINANCING

The approval of the Project should not result in any significant costs to the County as it will revise the standard of review under which certain land uses may be established in H1 and H2 habitats and will not result in any direct physical action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On December 14, 2018, the CCC considered and approved the proposed amendments to the LCP resulting from the trial court decision and remanded the proposed changes to the County for consideration.

On September 24, 2019, the Board held a public hearing to consider the proposed amendments. At the public hearing the Board heard testimony raising concerns related to low-impact campgrounds from constituents residing in the Santa Monica Mountains. The Board weighed those concerns and proposed amendments to the LIP, in addition to those proposed by the CCC, to address the concerns. The Board further proposed an additional change in the LUP regarding parking for low-impact campgrounds.

On December 10, 2019, the Board adopted a resolution that approved the LUP and LIP amendments from the September 24, 2019, public hearing and directed the LCP to be transmitted to the CCC for consideration.

On July 7, 2021, the CCC considered and approved the subject LCP amendments with two suggested modifications. The CCC provided a letter dated July 13, 2021, stating that the resolution of certification is contained in the findings of the CCC staff report and addendum for its July 7, 2021 hearing, dated June 24, 2021, and July 6, 2021, respectively. The suggested modifications as approved by the CCC are attachments to the July 13, 2021, letter.

ENVIRONMENTAL DOCUMENTATION

The Project is exempt from the requirements of CEQA pursuant to State CEQA Guidelines Section 15251(f). In accordance with this Section and California Public Resources code 21080.5, the preparation, approval, and certification of local coastal programs do not require an environmental document because it is a certified state regulatory program.

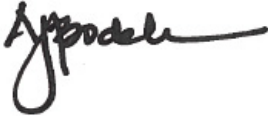
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The approval of the Project is not anticipated to have a negative impact on current services or other Projects as the proposed LCP amendments will not result in changes to the volume of work experienced by the Department.

CONCLUSION

For further information, please contact Martin Gies, AICP of the Coastal Development Services Section at (213) 974-0051 or mgies@planning.lacounty.gov.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Amy Bodek', with a long horizontal flourish extending to the right.

Amy J. Bodek, AICP

Director

AJB:DD:MG:RG:MAG:lm

Enclosures

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel
Public Works

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
VOICE (805) 585-1800
FAX (805) 641-1732



July 13, 2021

Amy Bodek, Planning Director
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: County of Los Angeles Santa Monica Mountains Local Coastal Program
Amendment No. LCP-4-MMT-19-0166-1 (Resource Dependent Uses)

Dear Ms. Bodek:

On July 7, 2021 the Coastal Commission approved the subject LCP Amendment with two (2) suggested modifications. The Commission's resolution of certification is contained in the findings of the staff report and addendum dated June 24, 2021 and July 6, 2021, respectively. The suggested modifications as approved by the Commission on July 7, 2021 are attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above, the Commission's certification with suggested modifications *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate

to satisfy any specific requirements set forth in the Commission's certification order.

- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.
- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth
Executive Director

By: 
Walt Deppe
Coastal Program Analyst

cc: Kevin Finkel, Los Angeles County Department of Regional Planning
Rob Glaser, Los Angeles County Department of Regional Planning
Luis Duran, Los Angeles County Department of Regional Planning

FINAL SUGGESTED MODIFICATIONS

County of Los Angeles Santa Monica Mountains Local Coastal Program Amendment No. LCP-4-MMT-19-0166-1 (Resource Dependent Uses)

A. SUGGESTED MODIFICATIONS TO THE LOCAL IMPLEMENTATION PLAN

The language currently certified in the County's Santa Monica Mountains Local Implementation Plan is shown in straight type. The County's proposed amendment language to the certified Local Implementation Plan is shown in ~~strikeout~~ and underline. Language approved by the Commission to be deleted is shown in ~~double strikeout~~. Language approved by the Commission to be inserted is shown in double underline.

Suggested Modification No. 1

22.44.630 Definitions.

...

"Campground, low-impact" means an area of land designed or used for "carry-in, carry-out" tent camping accessed by foot or wheelchair, ~~including~~ and may include associated support facilities ~~such as, where appropriate, picnic areas, potable water, self-contained chemical or composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations,~~ but as defined in accordance with the standards in Subsection M.2.c of Section 22.44.1920 and excluding any structures for permanent human occupancy and excluding roads. Low-impact campgrounds constitutes a resource-dependent use.

"Camping, carry-in, carry-out" means camping in which campers arrive at a campground by foot or other non-motor vehicle transportation from associated parking areas, ADA compliant drop-off areas, trails or bikeways, rely upon only that which can be carried to the site, and leave nothing behind at the campground upon departure.

...

Suggested Modification No. 2

22.44.1920 Development Standards.

...

M. Resource-dependent Uses. Resource-dependent uses are uses that are dependent on SERAs to function. Resource-dependent uses include: nature observation, research/education, habitat restoration, interpretive signage, and passive recreation, including horseback riding, low-impact campgrounds, picnic areas, public accessways, and hiking trails, but excluding trails for motor vehicles. Residential or commercial uses are not resource-dependent uses.

1. Resource-dependent uses are allowed in H1 habitat, H2 habitat, and H3 habitat, including H1 habitat buffer and H1 habitat quiet zone buffer, where sited and designed to avoid significant disruption of habitat values, consistent with the following development standards and all other applicable standards of the LIP.

2. Development Standards.

a. Resource-dependent uses shall be sited and designed to avoid ~~or minimize adverse impacts to~~ significant disruption of habitat values in H1 and H2 habitat and to minimize all impacts to other habitat to the maximum extent feasible. The development shall be the minimum design necessary to accommodate the use and avoid significant disruption of habitat value in order to minimize adverse impacts to H1 and H2 habitat;

b. Accessways to and along the shoreline that are located in H1 or H2 habitat shall be sited, designed, and managed to avoid ~~and/or significant disruption of habitat values, including by protecting~~ marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes. Inland public trails shall be located, designed, and maintained to avoid ~~or minimize impacts to significant disruption of habitat values in H1 or and H2 Habitat areas and to protect~~ other coastal resources, by utilizing established trail corridors or other disturbed areas, following natural contours to minimize grading, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. Trails shall be constructed in a manner that minimizes grading and runoff;

c. Low-impact campgrounds shall be located, designed, and maintained to avoid ~~or minimize impacts to significant disruption of habitat values in H1 or and H2 Habitat areas, and and Low impact campgrounds~~ must also avoid or minimize impacts to other coastal resources, by utilizing Such campgrounds shall utilize established disturbed areas where feasible, following natural contours to minimize grading, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. Such campgrounds shall be located a minimum of ~~50-100~~ 50 feet from the top bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective of biological resources as determined by the staff biologist or the ERB unless those areas are developed and/or disturbed by historic uses (e.g., recreation). Access to low-impact campgrounds ~~shall~~ may be supported by parking areas and designated ADA drop-offs that may be located in H2 habitat areas, where it is infeasible to site such facilities in H3 habitat areas;

i. Development and Operational Standards. Low-impact campgrounds shall comply with all of the following:

- In addition to the locational criteria above, campsites shall be sited near or along existing or proposed trails or access routes to supporting parking areas.
- Firepits, fires, flammable devices, and smoking shall be prohibited at all low-impact campgrounds.
- Pets shall be prohibited in low-impact campgrounds.

- Low-impact campground capacity shall be based on site-specific evidence and, if located in H1 or H2 habitat areas, shall in no event ~~shall~~ exceed four tents and shall be limited to no more than 12 persons.
- Camping is prohibited when hazardous conditions exist (e.g. when during "red-flag" wildfire warnings or flash flood warnings are issued by the National Weather Service) days.
- Campers are limited to a maximum length of stay of 14 days.
- ~~Campground management staff shall inspect the low impact campground at least once per day, including on red flag days when camping is otherwise prohibited.~~

ii. Where the following support facilities for Low-impact campgrounds may be supported by the following facilities, and if established, are proposed in H1 or H2 habitat areas, they must be consistent with the included standards:

- Parking and Drop-Off Areas. Parking areas and designated ADA drop-offs shall be located in H3 habitat areas, where feasible, but may be established in H2 habitat areas, where it is infeasible to site such facilities in H3 habitat areas. Parking areas and designated ADA drop-offs are prohibited in H1 habitat areas. Trash receptacles may be provided in parking or drop-off areas.
- Restroom Facilities. Restroom facilities shall be single-stall, self-contained, and of a chemical or composting type. They shall be located no closer than 100 feet from streams as measured from the outer edge of riparian vegetation or from the top of bank if there is no riparian vegetation present. They shall not be permanently affixed to a foundation or the ground and cannot have associated plumbing infrastructure. These limitations shall not apply to restroom facilities located outside of H1 and H2 habitat areas. All waste materials shall be disposed of off-site. All restroom facilities shall be consistent with the height, colors, and materials required by this LIP. No more than one such facility is allowed per low-impact campground.
- Fencing. All fencing shall be wildlife permeable (see definition in Section 22.44.630). Placement of fencing is limited to the perimeter of the campground or where necessary to protect nearby sensitive habitat.
- Water Storage. ~~Water storage tanks for use in fire suppression or as an on-site potable water supply shall be located within the boundaries of an established low-impact campground.~~ Water storage tanks for use as an on site potable water supply may be located within the boundaries of an established low-impact campground. Said storage tanks within a campground shall not be permanently affixed to the ground or other permanent structure, shall be easily moved, and emptied and filled outside of the campsite or H1 habitat areas. Water storage tanks within a campground shall be limited to no more than three, 55-gallon containers. There shall be no plumbing infrastructure built or associated with water dispensing facilities. These limitations shall not apply to water storage facilities located outside of H1 and H2 habitat areas.
- Signage. Informational and interpretative signage that identifies the low-impact campground, directs hikers to nearby trail(s), or identifies local floral/fauna, is allowed. The signage must be located within the perimeter of an authorized

- low-impact campground or along an authorized trail near a low-impact campground. Signs shall not be attached to a permanent foundation.
- Fireproof Cooking Stations. Fireproof cooking stations may be installed for use at low-impact campgrounds but are limited to one per tent site and full instructions for their operation shall be provided. Campers would be required to utilize only designated fireproof cooking stations provided at each approved campsite, which shall be designed of nonflammable materials and capable of being enclosed vertically on three sides (leaving one side open for cooking operations). Only cold-camping apparatus with no open flames, such as flame-less cook-stoves and lanterns, are allowed. Use of any type of liquid fuel (alcohol, kerosene, unleaded gasoline, white gas, mentholated Spirit, etc), canister fuel (propane, butane, etc), wood, wax or any other type of combustible material for cooking or lighting shall be expressly prohibited. Prospective campers shall be informed of the “no flame” policy upon reserving and/or registering for use of low-impact camping facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the “no flame” policy will be cause for confiscation of such devices and/or expulsion of visitors from low-impact camp facilities. Signs shall be posted to explain the “no flame” policy and low-impact campgrounds will be periodically patrolled to enforce the policy.
 - Fire extinguishers or other portable fire suppression equipment may be stored on temporary stands within a low-impact campground and shall not be attached to a permanent foundation.

iii. All coastal development permits for low-impact campgrounds shall include the following conditions of approval:

- Permittee shall prepare a drainage and runoff pollution control plan for the low-impact campground and associated support facilities. Said plan shall be provided to the Directors of Regional Planning and Public Works for their review and sign off prior to the operation of the low-impact campground.
- Permittee shall prepare a reservation/registration and operations/maintenance plan for the low-impact campground. Said plan shall include, at a minimum, details regarding the reservation system to be used for the campground, a requirement that campers register prior to using campground facilities, a log of each camper's contact and travel information, and campground monitoring and maintenance parameters. The plan shall include a campground-specific inspection plan with criteria for how frequently campground management staff shall inspect the campground and shall include a system to determine when camping will be prohibited in relation to “red-flag” wildfire warning days or other emergency conditions. The camper log shall include the name, phone number, arrival date and departure date (length of stay), and a log of each camper's origin before reaching the campground and their destination upon leaving the campground. The plan shall include provisions for informing prospective campers of the “no flame” policy upon reserving and/or registering for use of low-impact camping facilities and putting them on notice that unauthorized use of fire-related camping and cooking apparatus

- specifically prohibited by the “no flame” policy will be cause for confiscation of such devices and/or expulsion of visitors from low-impact camp facilities. The maintenance parameters shall detail the disposal and refilling of potable water storage facilities and the maintenance of on-site restroom facilities, and strategies for securing support facility elements from vandalism or theft. The plan shall be submitted to the Director for review and approval prior to the operation of the low-impact campground.
- Permittee shall prepare an emergency management plan. Said plan shall include, at a minimum, a camper notification system and campground evacuation procedures in the event of an emergency. Said plan shall also include details such as the nearest evacuation shelter and evacuation route(s). The plan shall be submitted to the Director for review and sign off prior to the operation of the low-impact campground.

...